

Upon information and belief, the present application and U.S. Patent No. 7,449,011 are commonly owned.

Applicants submit herewith an appropriate Terminal Disclaimer in order to overcome the rejection of claims 1, 3, 8-10, and 31 as being unpatentable over claims 1-4 of U.S. Patent No. 7,449,011 on the ground of non-statutory obviousness-type double patenting.

Claims 2, 4-7, and 11-16 stand rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over U.S. Patent No. 7,449,011 in view of Carlson et al. 5,827,319.¹

Upon information and belief, the present application and U.S. Patent No. 5,827,319 are also commonly owned.

Applicants submit herewith an appropriate Terminal Disclaimer in order to overcome the rejection of claims 2, 4-7, and 11-16 as being unpatentable over U.S Patent No. 7,449,011 in view of Carlson et al. 5,827,319 on the ground of non-statutory obviousness-type double patenting.

Accordingly, it is respectfully submitted that the rejection of claims 1-16, and 31 under the ground of non-statutory obviousness-type double patenting should be withdrawn and claims 1-16, and 31 are now in condition for allowance.

¹ Applicants note that on page 4 of the Office Action mailed May 25, 2010, that claims 2, 4-7, and 11-16 were rejected on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1,3, and 8-10 of U.S. Patent No. 7,449,011 in view of Carlson et al. 5,827,319. However, Applicants respectfully submit that U.S. Patent No. 7,449,011 only contains claims 1-4. Accordingly, Applicants have proceeded under the assumption that the rejection was based on claims 1-4 of U.S. Patent No. 7,449,011 in view of Carlson et al. 5,827,319.

Should the Examiner believe that a telephone interview may facilitate prosecution of this application, or resolve any outstanding matters, the Examiner is sincerely invited to contact the Applicant's undersigned representative at the number indicated below.

Respectfully submitted,



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